

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MERRILL LYNCH & CO., INC.,

Plaintiff,

v.

"JOHN DOE",

Defendant.

07-CV-9649 (RPP/JCF)

[REDACTED] ORDER EXTENDING PLAINTIFF'S TIME TO SERVE COMPLAINT

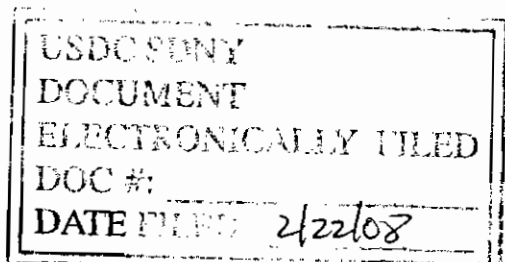
WHEREAS, Plaintiff Merrill Lynch & Co., Inc. ("Merrill Lynch") filed its complaint in this action on October 30, 2007;

WHEREAS, Merrill Lynch has pursuant to Rule 4(m) of the Federal Rules of Civil Procedure until February 27, 2008 to serve its complaint;

WHEREAS, at a conference held before this Court on February 22, 2008, Merrill Lynch set forth its efforts in attempting to identify the Defendant in this action so as to serve the complaint;

WHEREAS, Merrill Lynch showed good cause as to why it has not yet been able to serve Defendant with the complaint and is diligently pursuing information to disclose the identity of the Defendant;

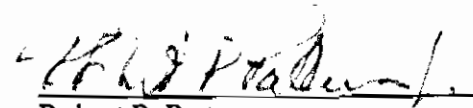
WHEREAS, Merrill Lynch requested a 90-day extension of time, from February 27, 2008, in which to serve Defendant with the Complaint.



NOW THEREFORE, IT IS HEREBY ORDERED that Merrill Lynch's time to serve the Complaint is hereby extended for an additional period of 90 days from February 27, 2008 until May 27, 2008.

Dated: New York, New York
February 22, 2008

SO ORDERED:


Robert P. Patterson
United States District Judge